IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition No. 1334 (S/S) of 2005

Km. Manisha Rawat,
Daughter of Sri Narain Singh Rawat,
Assistant Teacher in Primary School,
Dakpathar, Block – Vikasnagar,
District – Dehradun .....Petitioner.

V e r s u s.

1. State of Uttaranchal, through Secretary Education, Civil Secretariat, Uttaranchal, Dehradun.
2. District Education Officer, Dehradun.
3. Head Mistress, Primary School, Dakpathar, Block – Vikas Nagar, District – Dehradun.

.....Respondent.

Hon'ble M.M. Ghildiyal, J,:

Heard Sri Lokendra Dobhal, learned counsel for the petitioner and learned standing counsel, who has accepted notices on behalf of respondents.

Learned counsel for both the parties are agree to decide the writ petition at its admission stage itself.

Petitioner, who is working as Assistant Teacher in Primary School, Dakpathar, Block – Vikas Nagar, District – Dehradun, has challenged the transfer order dated 30.06.2005 passed by respondent no. 2 i.e. District Education Officer, Dehradun, by which petitioner has been transferred from Primary Schools, Dakpathar, Block – Vikas Nagar, District – Dehradun to Primary School, Kandoi, Block-Vikas Nagar, District – Dehradun on the ground of surplus teacher. The said transfer order was further modified by respondent no. 2 on 03.08.2005 and petitioner was transferred to Primary School, Hinduwala, Block – Vikas Nagar, District – Dehradun.

Learned counsel for the petitioner has submitted that it is provided in the Government Policy dated 20.07.2005 that teachers, who have not completed three years in the present place of posting, will not be transferred.

Learned counsel for the petitioner has further submitted that petitioner has not completed three years of service at the present place of posting. In this regard the petitioner has already made a representation dated 12.08.2005 before Additional District Education Officer, Dehradun and the same is still pending.

Additional District Education Officer, Dehradun is not the party in the present case.

During the course of argument, learned counsel for the petitioner has submitted that petitioner may be permitted to make a fresh representation before District Education Officer, Dehradun about her grievances against the transfer orders dated 30.06.2005 and 30.08.2005 and District Education Officer, Dehradun may be directed to decide the same at the earliest.

The prayer is innocuous. Accordingly, petitioner may file a representation before District Education Officer, Dehradun i.e. respondent no. 2 within a period of ten days and in case, petitioner makes a representation, District Education Officer, Dehradun is directed to decide the petitioner's representation within a period of three weeks from the date of production of certified copy of this order along with representation.

With this direction the writ petition is disposed of accordingly. No order as to costs.

(M.M. Ghildiyal, J)

September 12, 2005
SKSharma